

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Case No. 1:25-cv-1675

X

ANDREA K. TANTAROS

Petitioner;

-against-

FOX NEWS NETWORK, LLC, FOX CORPORATION, **AMENDED COMPLAINT**
INC., ROGER AILES, WILLIAM SHINE, JOHN
FINLEY, SCOTT BROWN, AND SUZANNE
SCOTT.

JURY TRIAL DEMANDED

Respondents.

X

Plaintiff Andrea K. Tantaros (“**Plaintiff**” or “**Ms. Tantaros**”), files her complaint against Defendants Fox News Network, LLC (“**Fox News**”), Fox Corporation (“**FOX**”), Roger Ailes via his Estate (“**Ailes**”), William Shine (“**Shine**”), John Finley (“**Finley**”), Scott Brown (“**Brown**”), and Suzanne Scott (“**Scott**”).

NATURE OF THE ACTION

1. For two decades, Fox News was atop the cable news heap, but behind the camera, its creator and CEO, Roger Ailes (“Ailes”), created and commanded a fiefdom of sexual deviancy for a criminal cabal of predators and enforcers that included himself, the network’s

most senior executives, male talent and Friends of Roger (“F.O.R.”) that secretly funneled millions in shareholder money to create a culture of institutional brutality to prey upon its female talent and inflict career annihilation on women for their gender like Ms. Tantaros who flatly refused to succumb to his sexual demands (and the demands of others’) chronic perversion and systemic quid pro quo in exchange for career advancement.

2. Much like a mob boss, if he wasn’t committing the acts himself, he often outsourced his instructions to humiliate, intimidate and discredit his targets, on and off-air, using myriad tactics, techniques and procedures. Through Ailes’ inner circle of top lieutenants, other trusted male talent, hired contractors, former alphabet agency staffers like Mike Baker “Baker”, former Mossad agent Bruce Backman (“Backman”). An army of sub-contractors were paid to stalk and spy on female talent, including Ms. Tantaros reporting back on her whereabouts, daily routine, relationships with friends, who she was dating, and her general mental state, opinions and thoughts.

3. Digital disruptors were retained to post harassing, threatening and even a deluge of daily pornographic comments on her social media to gaslight and objectify her and with the ultimate goal of chipping away at her self-confidence as the serious political analyst and highly educated and accomplished journalist that she was, making her so psychologically broken, weakened or wounded she would eventually capitulate to Ailes demands as many other women had. Contractors were (and are currently) hired and compensated either by outside law firms such as Epstein, Becker and Green, and outside private investigative firms such as Bo Dietl (“Dietl”) and Associates and Disruptor Capital owned by longtime Fox hitman, Pete Snyder

(“Snyder”).

4. Ms. Tantaros was among Ailes’ most high-profile, and high-valued targets of this gross sexual misconduct, bullying, coordinated exploitation of her as a sex object due to her gender, and psychological torture to achieve a desired outcome of sexual encounters. Friends of Roger were considered VIP guests who were invited to appear on-air, no matter their qualifications, with a promise of access to female talent to fulfill their sexual desires. When women like Ms. Tantaros rejected a male suitor or F.O.R., she would pay the price by either facing a hit piece placed on her in the media in Fox aligned or created outlets such as The Cable Game or TV Newser, or be subjected to additional harassment or hostility from different male guests on her program while on live TV, or face being inundated by abhorrent and sexually explicit comments on her social media from Fox-created fetish accounts, ‘admirers’, or even Fox News Black Room employees posing as ‘stalkers’ who posted pornographic, threatening and even personal information that only someone who had access to her daily communications and routine would know, like Fox Management and hired contractors. This was done by design and at the direction of Ailes. Many of these men were given paid network contributor contracts in exchange for acting in a dual capacity where their skillsets were applied off air as point men and advisers and contractors for Fox News’ infamous Black Room.¹

5. Fox host, political analyst and columnist, Andrea Tantaros was among the network’s

¹ The Black Room was an in-house Ailes creation of contractors and on-air male talent who acted as advisors and operatives conducting surveillance operations on female employees and ‘astroturfing’ campaigns that utilized digital armies of fake social media accounts against Ailes’ “perceived enemies” (See 21CF Shareholder Derivative Complaint, “Ailes Surveillance and The Black Room” <https://www.scribd.com/document/365008833/21st-Century-Fox-Verified-Derivative-Complaint>. Contributors James Pinkerton would pen anonymous blogs about female talent to either discredit them or sexualize them by posting photos taken by internal Fox cameras of up-skirt shots, leg and chest close-ups and attach erotic headlines and content. Black Room operatives like Mike Baker trained staff in psy-op and intelligence and counterintelligence activities. Contractors like Bo Dietl employed criminal tactics to surveil and monitor Ailes’ adversaries. Dietl was responsible for digging up dirt on Andrea Makris, a Fox producer, who sued the network and Bill O’Reilly in 2008.

most prominent victims of sexual misconduct by men employed by Fox News, heinous forms of retaliation and a decade long smear campaign of abuse and subsequent professional annihilation. Ailes may be gone, but the tactics and modus operandi is still very much alive, active, elaborate and far more powerful than ever. Her rise at the network was a delicate dance of having to prove herself by consistently garnering high ratings and regularly besting other programs in more desirable time-slots in the ratings while concurrently navigating a workplace hellscape of powerful men, many hellbent on blacklisting her from their shows or torpedoing her career when she refused their advances, including Ailes and Finley.

6. Despite documented complaints evidenced in Fox News' own privilege log made by Ms. Tantaros directly and her entertainment attorney, her situation only worsened as Ailes saw her refusal to capitulate to him as a twisted form of ungratefulness and an opportunity to seek sexual vengeance for her refusal to engage in sexual acts, banter and other abusive overtures due to her gender . On April 25, 2016, 12-hours before the launch of her forthcoming book on modern-day feminism, Ms. Tantaros was sent a letter to her personal email suspending her from the airwaves indefinitely, accusing her of manufacturing her sexual misconduct, abuse and retaliation claims and publishing her book without permission from the network, despite obtaining all necessary approvals orally and in writing, discussing the book regularly on-air at Fox News months prior to its release on-air, and promoting the book published by Fox News sister company, Harper Collins, on her closely monitored social media. This egregious act of retaliation expanded to outrageous and false and incredulous accusations that Fox had no knowledge Ms. Tantaros was even writing a book, despite, *inter alia* having received written approval from then-General counsel Dianne Brandi on February 19, 2016 to include a glowing

quote from Fox and Friends co-host Ainsley Earhardt on the cover of the book...a cover they would incredulously argue they weren't aware of and that "did not fit the image image Fox News seeks to project".²

7. Nine years later, Ms. Tantaros, Fox News and several Senior Executives are still In ongoing arbitration over the concocted allegations by Fox News they were unaware of Ms. Tantaros' book and her claims against Fox News for sexual harassment, retaliation and hostile workplace. During these long years Fox News has spent tens of millions of shareholder dollars in a campaign of lawfare to plant blatantly false, defamatory and damaging articles about Ms. Tantaros to destroy her professionally, personally and financially so she is blacklisted from the industry. Their constantly evolving roster of outside counsel has attempted to silence her using forced, unlawful non-disclosure agreements under New York law. Her case has *never* been dismissed, only remanded to arbitration, despite Fox-orchestrated and planted articles in allied or Fox-controlled media outlets furthering the retaliation through defamation, lawfare, abuse of process and other unlawful practices against her post-employment. Fox News outside counsel, Barry Asen ("Asen") and Ronald Green ("Green") have acted as the pointmen in a coordinated disruptive warfare campaign along with several others to aid and abet Fox News and Fox Corporation in the hiring of outside contractors like Pete Snyder to and former Media Relations Chief Brian Lewis to manipulate her social media algorithms, promulgate defamatory smear pieces to undermine her credibility, blacklist her from finding work in media and employing criminal tactics like bribery of her own counsel and electronic surveillance depriving

² Fox News has approved book covers of female hosts and commentators fully naked on their book jackets, lingerie photo shoots for Anchors in GQ, and a book by Geraldo Rivera recalling orgies with young staff in the basement of newsrooms.

her of any privacy for being the first to stand up to the media leviathan as an employee before Ailes could have her fired.³

PARTIES

5. Plaintiff Andrea K. Tantaros began working at Fox News in 2010 as a Political Contributor, Columnist and Analyst. During her tenure at Fox News, Ms. Tantaros helmed two number one shows, “The Five” and “Outnumbered”, graced the cover of The New York Observer as Fox’s “It Girl” on the heels of the network’s decision to elevate more youthful, moderate and less acerbic personalities post Fox News’ 2012 embarrassing election debacle and was the channel’s most downloaded columnist on FoxNews.com. By 2013, she had replaced Laura Ingraham’s coveted time-slot of 9 a.m. – noon weekdays on Talk Radio Network with her own show on over 200+ syndicated affiliates across the country and in major media markets as the lead-in to Rush Limbaugh and Sean Hannity. The Andrea Tantaros Show debuted at 78th on the Talkers 100 List and quickly shot to number seven (7) in eight short months. In October of 2013 she was featured on the cover of Radio Ink Magazine as “The Future of Talk Radio”. She was the first media personality and Fox host to have her own streaming platform and app in the Apple App Store long before podcasts were created. In addition television and radio, Tantaros wrote a weekly syndicated column in the country’s fifth largest newspaper, The New York Daily News, where her weekly columns were known to go viral, driving news cycles for her provocative articles on politics and culture. Prior to her media

career, Tantaros was already well-established in prominent Washington, DC circles as a top communications pro and political operative having served as Press Secretary for House Leadership and in senior positions on Capitol Hill, high-profile Senate, Gubernatorial and Congressional campaigns and in corporate America for multiple Fortune 500 Companies and high-profile politicians. She holds a Bachelor's degree in Journalism, French and Spanish and a doctorate from The Sorbonne in Paris, France. Plaintiff also served as a political consultant for Elizabeth and Roger Ailes before joining the network full-time. Ms. Tantaros succeeded in assisting Ailes and his wife advance their political agenda outside of Fox News. For her political acumen and assistance with campaigns upon which they were focused, she was simultaneously given an initial on-air contract. However, Ailes' political asks of Tantaros turned into potential criminal liability if she agreed. After she signed her first contract with Fox News, she cited her political work as a conflict of interest and potential violation of her employment agreement. At Ailes behest she quickly found her replacement. By doing so, she received regularly updates for years on their political efforts and moves. Her intimate knowledge of their actions, including illegal election interference on behalf of both the Ailes' and Fox Corporation made her a valuable, yet threatening, figure.

INTRODUCTION

6. Plaintiff Andrea Tantaros brings this action against Fox Corporation, Fox News Network, and its senior executives and operatives for gender-motivated violence, sexual misconduct and post-employment harassment under federal and state law.

7. As a former Fox News Anchor and Political Analyst, Plaintiff was subjected to egregious sexual misconduct, groping, coercion, and systemic infliction of emotional distress by

senior executives and operatives acting under the direction of Roger Ailes and his enablers due to her gender.

8. Plaintiff was the first woman to formally lodge complaints while employed at Fox News and refused an illegally-structured seven-figure settlement and Non-Disclosure Agreement in May of 2016, long before the scandal erupted at Fox News in July of 2016. Her years of formal complaints lodged herself and through her entertainment attorney led to Fox News' career sabotage, blacklisting, surveillance, defamation, and targeted forms of abuse.

9. Defendants have engaged in a well-documented history of sexual misconduct, institutional cover-ups, and heinous acts specifically against women for their gender like Ms. Tantaros who exposed their illegal conduct while employed at the network, long before any woman spoke out publicly in the summer of 2016 leading to a scandal of epic proportions that reverberated for years. To date Fox News has paid more than \$200 million dollars in settlements and fines. In 2017, Twenty First Century Fox filed a Shareholder Derivative Complaint exposing Fox News' depraved culture where rampant sexual harassment, misconduct and spying thrived as females lived in fear of retribution.⁴

10. This lawsuit is distinct from Plaintiff's ongoing arbitration and claims filed in 2017, which concerns separate causes of action and does not preclude this case under res judicata.

11. Due to recent legal reforms, including the Victims of Gender-Motivated Violence Act

⁴ Jonathan Stempel, "Twenty First Century Fox reaches a \$90 million settlement of shareholder claims arising from the sexual harassment scandal at its Fox News Channel, which cost the jobs of longtime news chief Roger Ailes", Reuters (November 20, 2017) <https://www.reuters.com/article/lifestyle/21st-century-fox-in-90-millionsettlement-tied-to-sexual-harassment-scandal-idUSKBN1DK2NE/>.

(GMVA) and the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2022, Plaintiff is entitled to seek justice in open court for claims not previously filed and/or against Defendants whose actions were once time-barred.

PARTIES

12. Plaintiff Andrea K. Tantaros is a resident of New York.
13. Defendant Fox Corporation is a Delaware corporation headquartered in New York, NY.
14. Defendant Fox News Network, LLC is a wholly owned subsidiary of Fox Corporation.
15. Defendant Roger Ailes (“Ailes”) (deceased) was the former CEO of Fox News. Claims against him proceed through his Estate which was illegally and prematurely dissolved in violation of 18 U.S.C. § 1962 (RICO) – Fraudulent conduct in arbitration constitutes a predicate act under racketeering law and New York Debtor & Creditor Law §§ 273-276 – Fraudulent transfers to evade liability through conveyance are unlawful.
16. Defendant William Shine (“Shine”) was a senior Fox News executive who acted as a sexual enabler and cover-up agent, facilitating retaliation and surveillance campaigns against victims. He was ousted for his conduct in 2017.⁵
17. Defendant John Finley (“Finley”) was a senior Fox News producer who engaged in quid pro quo sexual harassment, groping, and blacklisting of women. He was terminated in 2023 following an internal investigation that unearthed a two-decades long pattern of misconduct and abuse toward females at Fox News, subordinates and young women aspiring to appear on air.⁶
18. Defendant Scott Brown (“Brown”) a former U.S. Senator and Fox News contributor publicly groped Plaintiff on August 18, 2015, an incident recorded in Fox’s own privilege

⁵ Maggie Haberman, “Bill Shine Ousted From Fox News July 5, 2018., <https://www.nytimes.com/2018/07/05/us/politics/bill-shine-white-house-communications.html>

⁶ Natalie Korach, “Fired Fox News Executive John Finley Ousted After Findings of a Pattern of Sexual Harassment”, Yahoo News, (September 15, 2023) <https://www.yahoo.com/entertainment/fired-fox-news-executivejohn-154457700.html>.

log. After his termination from Fox News, Brown served as Ambassador to New Zealand where he was accused of sexual misconduct by two women in 2019.⁷

JURISDICTION AND VENUE

20. This Court has federal question jurisdiction under 28 U.S.C. § 1331

and supplemental jurisdiction under 28 U.S.C. § 1367.

21. Venue is proper in this District under 28 U.S.C. § 1391(b) because the events occurred in New York.

LEGAL STANDARD

22. Res judicata does not apply because:

- A. This timely-filed complaint asserts different causes of action than Plaintiff's arbitration claims and new Parties due to the Gender Motivated Violence Act that allows a look-back period to report claims that fall under the law which could not be considered prior due to the statute of limitations.
- B. New laws such as the GMVA and The Ending Forced Arbitration Act of 2022 now allow these claims to be heard in open court and not secret, forced arbitration.
- C. Plaintiff's arbitration remains ongoing and is before the S.D.N.Y. for violations of the Federal Arbitration Act ("FAA"), State Law and AAA Rules and Standards with separate causes of action and Plaintiff's unenforceable arbitration clause. Fox News is prohibited from utilizing mandatory arbitration as a means to adjudicate claims of sexual harassment, misconduct, retaliation and discrimination until July 2025 and must invalidate all arbitration clauses in talent contracts as ordered by the New York Commission on Human Rights ("NYCCHR").

⁷ Betsy Reed, "More Complaints Surface Over Behaviour of U.S. Ambassador to New Zealand, Scott Brown", The Guardian, (October 25, 2017) <https://www.theguardian.com/world/2017/oct/26/scott-brown-more-complaintssurface-over-behaviour-of-us-ambassador-to-new-zealand>.

FACTUAL BACKGROUND

23. Plaintiff was subjected to systematic gender-based violence, harassment, abuse and retaliation while employed at Fox News specifically because she was a woman. She was not just any woman. She was a woman who flatly refused to entertain or engage in sexual acts or coercive verbal or physical conduct with any employee or guest of Fox News, making her the subject of incessant forms of punishment for failure to submit to, or be subjugated by, powerful men.

24. Plaintiff formally complained on August 18, 2015 directly to Shine about Scott Brown's groping and unwanted physical contact, which is documented in Fox's own privilege log.

25. The NYCCHR confirmed in 2021 that Fox News engaged in illegal, pervasive sexual harassment and retaliation, abuse, fostering a hostile workplace, spying, blacklisting and planting smear articles about women who complained.⁸ Fox News is currently under probation for the NYCCHR's charges and must suspend all arbitration clauses in talent contracts for claims of sexual harassment, misconduct, and abuse.⁹ The Commission's findings levied the largest fine in its history against

the network and has directly corroborated all of Plaintiff's claims prior to any woman coming

⁸ Noah Goldberg, "Fox News Deleted Computer Data, Spied on and Blacklisted Employees Who Claimed Sexual Harassment, City Investigation Charged", The New York Daily News (September 21, 2021) <https://www.nydailynews.com/2021/09/21/fox-news-deleted-computer-data-spied-on-text-messages-of-employeeswho-claimed-sexual-harassment-city-investigation-charged/>.

⁹ Nicole Colarossi, "Fox News Pays \$1 Million Dollar Fine For a Pattern of Human Rights Violations, Agrees to Suspend Arbitration Clauses", Newsweek, (June 29, 2021). <https://www.newsweek.com/fox-news-pay-1-millionpattern-nyc-human-rights-violations-1605315>.

forward despite Fox News' initially and fraudulently accusing her jumping on a bandwagon by being a liar, "an opportunist and a wannabe". (See initial exhibit on docket: "New York City Commission on Human Rights Report and Charges of Guilt v. Fox News Network, LLC").

Roger Ailes Targets Tantaros

27. Ailes used his position as CEO to summon Ms. Tantaros to regular 'meetings' where he attempted to kiss and grope her upon greeting him. The meetings were fronts to have one-on-one face-time alone in his office with female talent where he would dangle the prospect of career advancement and increased airtime in return for ingratiating physical contact.

Ailes incessantly probed Plaintiff about her love life and made inappropriate remarks and requests for physical touching which she consistently and flatly rejected. Ailes would sit in a chair that was purposefully positioned lower than the couch to its right where he demanded female talent sit for meetings so he could attempt to see up their dresses and ogle their legs and bodies. Upon entering, he would request a kiss or a hug, often grabbing the arms of Ms. Tantaros despite sharply her turning her head away from his. His omnipresence was obese, elderly and off-putting despite his position as CEO. Though an ailing invalid, he designed a lair from which he could benefit from the desire of attractive females with an interest in gaining an opportunity in television. He wielded his considerable power as a dictator to impose sexual, physical, and physiological violence upon his victims if they refused to cooperate, like Ms. Tantaros.

28. Ailes was fired in July of 2016 when Ms. Tantaros was still employed by Fox News but benched by Ailes as retaliation for her ongoing complaints to Senior Management and Human

Resources. When word spread Ms. Tantaros had ended a longterm relationship, the sexual misconduct and attempts by men who appeared on-air or were employed by Fox News, including Ailes, caused her on-air humiliation, emotional distress that began to rapidly uptick. Certain guests on Ms. Tantaros' program "Outnumbered" were hand-picked by Ailes to verbally and physically cause her harm and embarrassment, both on and off camera, with sexually-charged questions, comments and inappropriate innuendo making it challenging to fight back without being branded or appearing "difficult", "a diva" or "a castrating b-tch".

Ailes was terminated with a \$40 million severance package after multiple women followed Ms. Tantaros' lead and spoke out publicly against Ailes including Rudi Bakhtiar, Laurie Dhue, Megyn Kelly and Laura Luhn.

29. On August 4, 2015 Ailes verbally berated and humiliated Tantaros in the hallway on her way to a taping of "Hannity" with Fox News Contributor Peter Johnson Jr. and host Megyn Kelly ("Kelly") standing next to Ms. Tantaros. Upon Ms. Tantaros and Mr. Johnson's approaching Ailes and Kelly, Ailes rudely cracked that "we need to get you a tighter dress" to degrade and disrespect Plaintiff in front of her colleagues. Kelly put her hand on Plaintiff's back for support as Plaintiff quipped back that the dress was provided by Fox's wardrobe department and if he had an issue to "take it up with them", as Ms. Tantaros was only permitted to wear clothing approved by Fox News.

John Finley, Sexual Predator / Neo-Gatekeeper to Career Advancement and On-Air Appearances

30. John Finley leveraged his position as Executive Producer of the program "Hannity" to demand sexual favors from upcoming and aspiring on-air talent and subordinates with empty

promises of career advancement as he lacked the power to “turn women into stars” as he would brag. Though quite rotund, Finley often referred to himself as a “mini-Ailes” who once told Ms. Tantaros he “would eventually take over the network” upon Ailes’ departure. Oddly, this was the same claim Shine would make to women he was grooming for sexual conquests.

Ms. Tantaros was introduced to Finley only via telephone during her tenure as Press Secretary for House Leadership. They would routinely talk about which member of Congress was available to appear on Hannity and Colmes. Finley was the Executive Producer of the program at the time.

31. After months, Ms. Tantaros agreed to meet him at the network during the program where she could watch from the control room and see a close friend from her time working on Capitol Hill who she had helped get a job at Fox News as a producer. She witnessed an all-female staff of young women, including her friend, [REDACTED] (“Jane Doe 1”)¹⁰. During a commercial break, an argument erupted between Jane Doe 1 and Finley. Despite being a very professional and quiet woman, she was visibly angry and screaming that he had not approved time-off for a vacation she was taking with her boyfriend. Ms. Tantaros spoke to Jane Doe 1 briefly after the incident and they agreed to meet up for dinner the following week.

Both Jane Doe 1 and Ms. Tantaros finally met several weeks following the incident at Koi in Bryant Park. Jane Doe 1 and Ms. Tantaros discussed their mutual, targeted and highly inappropriate experiences with Finley. Jane Doe 1 said she had made multiple complaints about Finley to Suzanne Scott, but that he was extremely protected within the network despite preying on multiple young female staffers. Management was fully aware of his predatory behavior, but

¹⁰ Ms. Tantaros has redacted the identity of her former colleague and friend as she seeks to protect her from public scrutiny. She is a mother who no longer works in television. Her identity can be submitted under seal or in camera upon request. She shall be referred to as Jane Doe 1.

they ignored it, and even worked to dispose of very young females who complained about Finley for manufactured issues such as mailing an envelope using Fox News postage or making long distance calls on the phone system.

32. If Finley learned the woman had a boyfriend, he would go “go nuts”, “make working for him unbearable” and “eventually have them fired”, Jane Doe 1 confirmed (along with several other subordinates of Finley). Jane Doe 1 said after years of his abuse, and witnessing his mistreatment and stalking of other females, she had finally been reassigned to Martha MacCallum’s afternoon show, “The Live Desk” where she was finally “happy”. She suggested booking Ms. Tantaros as a first-time guest as Finley was blacklisting Ms. Tantaros from any opportunity at Fox News. Ms. Tantaros agreed and appeared on The Live Desk two weeks later.

Following her appearance, Finley was waiting in the green room to confront her and intimidate her. He told her she wasn’t great on-air and wouldn’t be appearing on other Fox News programs. Ms. Tantaros left upset knowing that he had influence over Fox News programming. Despite Finley’s comments to deliberately scare Ms. Tantaros and attempt to make her feel like she had failed, she received an invitation to appear on The O’Reilly Factor the next day.

33. For over ten months, Ms. Tantaros was appearing daily on CNN’s Larry King Live, or MSNBC, and on all Fox News programs except one: Hannity and Colmes. Finley had ensured she would not be allowed. Ms. Tantaros confirmed Finley’s decision to block her through Jane Doe 1 and another female producer who still worked on Hannity and Colmes. During one trip to visit a producer on the show, Ms. Tantaros witnessed a young female sitting on Finley’s lap during their pre-show meeting.

34. Ms. Tantaros eventually signed a contract with Fox News as a contributor in 2010 and began

appearing on Hannity and Colmes. She was told it was only because Finley's hand was forced as "Hannity himself saw her on-air and wondered why she never appeared on his show".

In 2011, Plaintiff reported Finley directly to Sean Hannity. In 2012, Ms. Tantaros reported Finley's abusive conduct to her supervisors Shine and Suzanne Scott, now current Fox News CEO. Both Shine and Scott listened, but did nothing to reign in Finley. Eventually, Finley was reassigned to supervise other new programs but his open disdain and harassment of Ms. Tantaros continued to plague her throughout her entire career at the network.

35. Upon learning the extent of Finley's pervasive sexual misconduct in pursuit of female talent, subordinates and punitive action against women who rebuffed him, including Ms. Tantaros, Finley was finally removed from his position. He would later be reassigned as Director of Development where he continued his reign of terror toward females like Ms. Tantaros who flatly rejected his advances and psychological attempts to humiliate women as he later launched programs like The Five featuring Ms. Tantaros as a co-host.

36. For almost a year she was able to avoid Finley altogether. It wasn't until Ms. Tantaros was asked to launch a new show called "The Five". Despite her excitement, she learned Finley would be in charge of the program and serve as Executive Producer. It was a dream job. She dreaded he would have power over her again, knowing he'd soon turn her dream into a nightmare as sexual retribution.

37. In June of 2011, Ms. Tantaros received an email from Finley to come to his office as he had news. She was aware that the pilot had done well but heard nothing about the show being green-lit. She made her way to his office and he asked her to close the door as the news "had to be kept

secret”. Finley informed her she, along with four others (Greg Gutfeld, Dana Perino, Bob Beckel Eric Bolling) had been chosen as permanent co-hosts to launch a the Five at 5 p.m. each weekday and would premiere in July. It didn’t take long for Finley to return to his old ways.

“I’m going to be your boss. You’re going to have to be nice to me.” He continued in a flirty tone that because he was in charge “You and I need to get along and get close. Whatever it takes. Right?” Ms. Tantaros deflected and said she had “never not been nice” and “looked forward to launching the program”. She immediately informed him she was late to an event in Gramercy Park where she was meeting friends and had to leave.

38. His misconduct worsened toward Ms. Tantaros as he was put in charge of launching programs such as The Five where she appeared as an original co-host of the program. He used his position as Interim Executive Producer of “The Five” to harass, bully and undercut Plaintiff’s presence on the program and standing at the network and elevate her female colleagues who entertained his advances. Finley informed Ms. Tantaros “she wasn’t allowed to open the show”. He originally told her that she couldn’t read a teleprompter and needed work. He used this opportunity to set-up training sessions in the studio where he would oversee Ms. Tantaros practicing reading off of the teleprompter for long periods of time. After almost an hour, he would still feign dissatisfaction to frustrate and embarrass Ms. Tantaros while gaslighting her into believing she couldn’t sufficiently read a brief introduction to a segment on a promoter. He would then suggest she “ad lib” instead. After attempting the new approach, he would still pretend she lacked the ability to open a segment following commercial breaks. Ms. Tantaros sought advice from several prominent female producers who told her that she was “outstanding”,

and that Finley was purposefully trying to sabotage her performance and make her feel emotionally unimportant, unempowered and unequal with her co-hosts because she refused to date him or entertain his sexual and flirtatious advances. Ms. Tantaros voiced her growing frustration and concern to her Senior Producer Susan Wertheim about Finley. Wertheim confirmed that he was elevating Kimberly Guilfoyle over her deliberately and that Guilfoyle had worked her way onto the show making it essentially six hosts. Only Ms. Tantaros and Guilfoyle rotated. Ms. Tantaros sought help from Shine and Scott about Finley but each member of management looked the other way or confirmed that Finley was “an open secret Fox (News) refused to fire”.

39. Fox News Senior Management such as Shine, Scott, and ultimately Ailes, allowed Finley’s misconduct and diminishing of Ms. Tantaros’ presence on The Five with his seniority as Executive Producer to persist for over a year unabated. It is well-documented with multiple victims during the entirety of Plaintiff’s tenure at the network that Finley is responsible for the destruction of almost as many careers of females in television as Ailes.

40. Only after Ms. Tantaros departed and more victims came forward was Finley terminated in September of 2023 for this exact, long-storied pattern and practice of harassment, serial misconduct, gender motivated targeting of violence through emotional abuse and quid pro quo promising opportunities to females in subordinate positions in exchange for sexual capitulation.

41. Upon his firing, Mediaite reported, “Multiple sources who worked with Finley claimed the veteran executive pursued romantic relationships with subordinates throughout his time at the network. These relationships included one with a Fox staffer who he married and then divorced. A number of sources who spoke with Mediaite said he survived for so long in part thanks to the relaxed

attitude towards misconduct pervasive during the Roger Ailes era of Fox. The *Washington Post*, which first reported on Finley's ouster last weekend but did not report the claims against him, noted that Finley was investigated for misconduct in 2011 but cleared of any wrongdoing at the time. The network, which conducted the probe internally, cited a lack of evidence. 'Our HR department was a complete joke back then,' a high-level Fox insider told Mediaite. Another longtime staffer concurred, calling the investigation a 'joke.'"¹¹

Scott Brown Physically Assaults Tantaros in Public

42. The pervasive culture of sexual misconduct toward Ms. Tantaros continued to spill onto the airwaves as Brown made constant inappropriate and offensive remarks on-set in front of her co-hosts, production team and staff on set. It was well-established among staff and hosts of the program *Outnumbered*, when Brown's wife wasn't present during an appearance, he would act in a perverted manner, particularly toward Ms. Tantaros. During one appearance, he stared longingly at Ms. Tantaros during a commercial break and groaned "ohhh Andreaaaaa..." into an open microphone on a full and open set of co-hosts, cameramen, and floor producers. This prompted her female line producer to speak directly to a visibly disturbed Ms. Tantaros solely on her earpiece alone and bluntly ask: "Oh my God. What the hell was that?"

On August 18, 2015, following Brown's appearance on *Outnumbered* he followed Plaintiff to the in-house luncheonette, Fresh and Co. adjacent to the studio. As she was checking out at the cashier's counter, Brown came up behind her and grabbed her waist from behind pushing his body against hers causing Ms. Tantaros to reel in shock and fear, turnaround and demand he stop.

¹¹ <https://www.mediaite.com/media/exclusive-top-fox-news-executive-fired-after-woman-alleges-sexual-harassment-and-stalking/>

She immediately proceeded to the office of Shine following the incident to file a contemporaneous report. The incident is documented in Fox News' own Privilege Log of former General Counsel Dianne Brandi. Ms. Tantaros additionally alerted her Executive Producer Jay Soroko to the misconduct and stated she refused to appear on-air with Brown ever again. Despite her insistence and Soroko's compassion and agreement that Brown had repeatedly crossed a serious line, he was over-ruled by Ailes. Brown continued to appear on Tantaros' program Outnumbered.

Tantaros Reports Sexual Misconduct to William Shine and Suzanne Scott

43. After enduring a year of Finley's mistreatment as a host of The Five, Ms. Tantaros reported Finley to her direct supervisors, William Shine and now-CEO Suzanne Scott.

Infamously known as "The Butler", Shine had a defined role as Ailes' enforcer and defender of known predators and a facilitator of sexual trysts and liaisons with female employees including Laura Luhn.

44. Despite Plaintiff's multiple meetings with Shine over several years to address the culture of Fox News and incidents of misconduct, including Finley, Ailes and Brown. Following almost a year of Finley's retaliation against Ms. Tantaros as Executive Producer of The Five, Shine and Scott either did nothing to address her serious concerns or, in Shine's case, responded with intimidation and threats that she needed to "let this one go" and warned "not to fight this" following an incident with Ailes. Shine, however, had an ulterior motive as he was grooming his mistress to replace Ms. Tantaros.

Bo Dietl's Admitted Campaign of Illegally Surveilling Tantaros Along With Other Fox-hired Contractors

45. Bo Dietl has a well-documented history of illegal surveillance against females at Fox News using close-in surveillance, electronic surveillance and other means to monitor, spy and dig up dirt to leak to the press to wreck the credibility and reputations of women who have initiated legal action against the network at the behest of Ailes. On June 18, 2017 Dietl told the New York Times in an interview he was retained by Fox News to deploy a twelve-man team to follow Ms. Tantaros and eavesdrop on her conversations along with another female Fox anchor. His surveillance of Plaintiff has continued for the past nine years to present day using myriad unlawful methods and techniques.

CONCLUSION

46. While at first glance this Complaint may seem simplistic and routine given Fox News' well established history, by the time all evidence is revealed and presented, this pleading will illustrate one of the most egregious, intentional and elaborate examples of corporate hubris, hostility, malfeasance and depravity inflicted upon an individual in United States history.

CLAIMS AND COUNTS

COUNT I: Violations of the GMVA (NYC Admin. Code § 8-901 et seq.)

(Against Roger Ailes, John Finley and Scott Brown)

47. Defendants engaged in gender-motivated violence, groping, unwanted touching, coercion, harassment, intimidation, discrimination, and creation of a hostile workplace environment to dominate, humiliate and break Plaintiff to try to achieve sexual wants and desire.

COUNT II: Hostile Work Environment (Title VII, NYSHRL, NYCHRL)

(Against Fox News, Fox Corporation, Roger Ailes, William Shine, John Finley)

48. Defendants subjected Plaintiff to a sexually hostile workplace and inflicted emotional distress, embarrassing, gaslighting, retaliation, mistreatment and harm upon her for refusing advances.

COUNT III: Intentional Infliction of Emotional Distress (IIED)

(Against Fox News, Fox Corporation, Roger Ailes, William Shine, John Finley and Suzanne Scott)

49. Defendants engaged in outrageous, extreme, and malicious conduct to destroy Plaintiff's career and mental well-being including verbal and physical groping, assault,

COUNT IV: Negligent Hiring, Supervision, and Retention

(Against Fox News, Fox Corporation, William Shine and Suzanne Scott)

50. Fox Corporation and Fox News knowingly employed and protected serial sexual abusers and retaliators.

COUNT IV: Aiding and Abetting Retaliation (Federal & NY Law)

(Against William Shine and Suzanne Scott)

51. Shine, Asen, Green, Lewis, and Dietl facilitated and executed retaliation and harassment against Plaintiff. Asen, Green, Lewis and Dietl continue to target Ms. Tantaros to the present day as she is still in active litigation with Fox News.

COUNT V: Civil & Criminal Stalking (18 U.S.C. § 2261A, NY Penal Law § 120.45)

52. Defendants engaged in targeted, electronic surveillance, social media and digital warfare campaigns through paid bot-net denigration, media smear campaigns and HUMINT operations to harass, spy, and irreparably disrupt and destroy Plaintiff's personal and professional life.

COUNT VI: Aggravated Harassment in the Second Degree (N.Y. Penal Law § 240.30):
(Against Defendants Fox News and Fox Corporation)

46. Prohibiting communication made with intent to harass, annoy, threaten, or alarm another person, including electronic communications likely to cause annoyance or alarm.

PRAYER FOR RELIEF

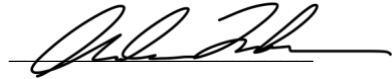
WHEREFORE, Plaintiff requests:

- a) Compensatory damages in the amount of \$29 million dollars;
- b) Punitive damages;
- c) Injunctive relief against further retaliation;
- d) Attorneys' fees and costs;
- e) Any other relief deemed just and proper.

Jury Trial Requested

Dated: May 27, 2025

Respectfully submitted,



Andrea K. Tantaros

Plaintiff

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